

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

TOM DEWITT,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-06-0557-F
)	
JUSTIN JONES, et al.,)	
)	
Respondents.)	


ORDER

Petitioner seeks a writ of habeas corpus pursuant to 28 U.S.C. §2254. Petitioner is a state prisoner appearing *pro se*, and his pleadings are liberally construed. The Report and Recommendation of Magistrate Judge Bana Roberts recommends that the petition be dismissed upon filing for lack of jurisdiction. (Doc. no. 8.) Petitioner’s “Response to Report and Recommendation” is construed as an objection to all aspects of the magistrate judge’s Report and Recommendation. (Objections at doc. no. 9.)

The court has considered *de novo* all issues addressed in the magistrate judge’s Report. *See*, 28 U.S.C. § 636(b)(1). After careful study of petitioner’s objections, the record and the relevant legal authorities, the court finds and concludes that it concurs with the magistrate judge’s determinations. The court further concludes that no purpose would be served by repeating the magistrate judge’s determinations or by presenting any additional analysis here.

Accordingly, the June 14, 2006 Report and Recommendation of Magistrate Judge Bana Roberts is **ACCEPTED, ADOPTED** and **AFFIRMED** in its entirety. The petition for a writ of habeas corpus is **DISMISSED**.

Dated this 29th day of June, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

06-0557p003(pub).wpd